

IN THE UNITED STATES DISTRICT COURT
FOR THE WETERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18CV679-GCM

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|------------------------------|---|------------------------------------|
| In re: |) | |
| |) | |
| KAISER GYPSUM COMPANY, INC., |) | Chapter 11 |
| <i>et al.</i> , |) | Case No.: 16-31602 (JCW) |
| |) | (Jointly Administered) |
| Debtors. |) | Related Docket No. 1337 |
| |) | |
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| KAISER GYPSUM COMPANY, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Adversary Proceeding No.: 18-03078 |
| |) | |
| ARMSTRONG WORLD INDUSTRIES, |) | |
| INC., |) | |
| |) | |
| Defendant. |) | |
| |) | |
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This matter is before the Court upon Defendant's Motion to Withdraw the Reference of the above-captioned Adversary Proceeding, including the Claim Objection (Adv. Doc. No. 2) filed by the Plaintiff, pursuant to 28 U.S.C. § 157(d).

Having reviewed the Motion, the Court finds that the Adversary Proceeding is subject to mandatory withdrawal of the reference pursuant to 28 U.S.C. § 157(d) because resolution of this proceeding will require the Court's substantial and material consideration of federal environmental statutes in determining whether to impose the contribution and recovery sought by Plaintiff and to issue a declaratory judgment under CERCLA. Accordingly,

IT IS THEREFORE ORDERED that Defendant's Motion to Withdraw the Reference is hereby GRANTED and the Court hereby withdraws the reference to the Bankruptcy Court of this Adversary Proceeding.

Signed: January 18, 2019

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

